

TAB I

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UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

| | | |
|----------------------------|---|--------------|
| | X | |
| CYCLE-CRAFT CO., INC., | X | |
| d/b/a BOSTON | X | |
| HARLEY-DAVIDSON/BUELL, | X | |
| Plaintiff | X | |
| | X | CASE NO. |
| vs. | X | 04 11402 NMG |
| | X | |
| HARLEY-DAVIDSON MOTOR | X | |
| COMPANY, INC., and BUELL | X | |
| DISTRIBUTION COMPANY, LLC, | X | |
| Defendants | X | |

VIDEOTAPED DEPOSITION OF MICHAEL BLOOM,
taken pursuant to the applicable provisions
of the Federal Rules of Civil Procedure,
before Jill Kourafas, Certified Shorthand
Reporter and Notary Public in and for the
Commonwealth of Massachusetts held at the
Law Offices of Bingham McCutchen,
150 Federal Street, Boston, Massachusetts,
on May 2, 2005, commencing at 3:10 p.m.

REPORTERS, INC.
GENERAL & TECHNICAL COURT REPORTING
23 MERRYMOUNT ROAD, QUINCY, MA 02169
617.786.7783/FACSIMILE 617.786.7723

1 Q. What was the commission?

2 A. Well, it varied with bike to bike, but at
3 that time, it wasn't right away that I got
4 that part of the package.

5 Are you asking only in July?

6 Q. Well, let's start with that.

7 While you were still in the '03
8 model year, were you getting commissions?

9 A. No, just salary.

10 Q. And were you offered any commission or bonus
11 based on any performance in July of '03 that
12 you recall?

13 A. No, I was not offered any.

14 Q. I understand.

15 Did you purchase a new motorcycle
16 from Cycle-Craft in July of '03?

17 A. No, I did not.

18 Q. Did Elaine, your wife, purchase a new
19 motorcycle from Cycle-Craft in July of '03?

20 A. No, she did not.

21 Q. Did Lissa, your daughter, purchase a new
22 motorcycle from Cycle-Craft in July of '03?

23 A. No, she did not.

24 Q. Did your son Matt purchase a new motorcycle

1 from Cycle-Craft in July of '03?

2 A. No, he did not.

3 Q. Did any of you have a contract or agreement
4 to buy a new motorcycle from Cycle-Craft in
5 July of '03?

6 MR. REHNQUIST: Object to form.

7 Q. You can answer the question.

8 A. We didn't have a contract; we had a verbal
9 understanding.

10 Q. Okay. Did you sign a bill of sale for a
11 motorcycle for your purchase from
12 Cycle-Craft in July of '03?

13 A. No.

14 Q. Did your wife Elaine sign a bill of sale to
15 buy a motorcycle from Cycle-Craft in July of
16 '03?

17 A. No.

18 Q. Did your daughter Lissa sign a bill of sale
19 to buy a new motorcycle from Cycle-Craft in
20 July of '03?

21 A. No.

22 Q. Did your son Matt sign a bill of sale to buy
23 a new motorcycle from Cycle-Craft in July of
24 '03?